

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

RENO JAMES RUNS ABOVE,

Defendant.

CR 08-84-BLG-SPW-JTJ

ORDER

On June 8, 2022, United States Magistrate Judge Johnston entered Findings and Recommendations with respect to the June 3, 2022, third amended petition for revocation of Defendant Reno James Runs Above's supervised release. (Docs. 59 and 56). Although the parties were notified of their right to file objections to the Findings and Recommendations within 14 days, neither party filed objections. Failure to object waives the right to review. Fed. R. Crim. P. 59(b)(2). But consistent with the Court's "full authority" to review the Findings and Recommendations under any standard it deems appropriate, *Thomas v. Arn*, 474 U.S. 140, 154 (1958), the Court reviews for clear error. Clear error exists if the Court is left with a "definite and firm conviction that a mistake has been committed." *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000).

Bases on Defendant Runs Above's admissions to the alleged violations and the Government's satisfaction of its burden regarding the alleged violations, Judge Johnston recommends his supervised release be revoked. Judge Johnston further recommends that this Court sentence Runs Above to five months custody followed by thirty-one months supervised release. Judge Johnston's Findings and Recommendations are without clear error and hereby adopted in full.

IT IS ORDERED that Defendant Reno James Runs Above supervised release is revoked. Judgment will be entered by separate document.

DATED this 22nd day of June, 2022.


Susan P. Watters
SUSAN P. WATTERS
United States District Judge